

PRELIMINARY DRAFT

TEXAS LEGISLATIVE COUNCIL  
Government Code  
Chapter 522  
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22 SERVICES AGENCIES AND CERTAIN OTHER STATE ENTITIES

23 SUBCHAPTER A. FISCAL PROVISIONS

24 Revised Law

25 Sec. 522.0001. LEGISLATIVE APPROPRIATIONS REQUEST BY

26 HEALTH AND HUMAN SERVICES AGENCY. (a) Each health and human

27 services agency shall submit to the commission a biennial agency

28 legislative appropriations request on a date determined by

29 commission rule.

30 (b) A health and human services agency may not submit the

31 agency's legislative appropriations request to the legislature or

32 the governor until the commission reviews and comments on the

33 request. (Gov. Code, Sec. 531.027.)



1 section is subject to the written approval of the  
2 executive commissioner. Chapter 575 does not apply to  
3 a gift or grant under this section.

4 (c) The executive commissioner may adopt rules  
5 and procedures to implement this section. The rules  
6 must ensure that acceptance of a gift or grant under  
7 this section is consistent with any applicable federal  
8 law or regulation and does not adversely affect  
9 federal financial participation in any state program,  
10 including Medicaid.

11 (d) This section does not affect the authority  
12 under other law of the commission or a health and human  
13 services agency to accept a gift or grant from a person  
14 other than a pharmaceutical manufacturer,  
15 distributor, provider, or another entity engaged in a  
16 pharmaceutical-related business.

## 17 SUBCHAPTER B. CONTRACTS

### 18 Revised Law

19 Sec. 522.0051. NEGOTIATION AND REVIEW OF CERTAIN CONTRACTS  
20 FOR HEALTH CARE PURPOSES. (a) This section applies to a contract  
21 with a contract amount of \$250 million or more:

22 (1) under which a person will provide goods or  
23 services in connection with the provision of medical or health care  
24 services, coverage, or benefits; and

25 (2) that will be entered into by the person and:

26 (A) the commission;

27 (B) a health and human services agency; or

28 (C) any other state agency under the commission's  
29 jurisdiction.

30 (b) An agency described by Subsection (a)(2) must notify the  
31 office of the attorney general at the time the agency initiates the  
32 planning phase of the contracting process for a contract described  
33 by Subsection (a). A representative of the office of the attorney  
34 general or another attorney advising the agency as provided by  
35 Subsection (d) may:

36 (1) participate in negotiations or discussions with  
37 proposed contractors; and

38 (2) be physically present during those negotiations or  
39 discussions.

40 (c) Notwithstanding any other law, before an agency  
41 described by Subsection (a)(2) may enter into a contract described  
42 by Subsection (a), a representative of the office of the attorney

1 general shall review the form and terms of the contract and may make  
2 recommendations to the agency for changes to the contract if the  
3 attorney general determines that the office of the attorney general  
4 has sufficient subject matter expertise and resources available to  
5 provide this service.

6 (d) If the attorney general determines that the office of  
7 the attorney general does not have sufficient subject matter  
8 expertise or resources available to provide the services described  
9 by this section, the office of the attorney general may require the  
10 agency described by Subsection (a)(2) to enter into an interagency  
11 agreement or obtain outside legal services under Section 402.0212  
12 for the provision of services described by this section.

13 (e) The agency described by Subsection (a)(2) shall provide  
14 to the office of the attorney general any information the office of  
15 the attorney general determines is necessary to administer this  
16 section. (Gov. Code, Sec. 531.018.)

17 Source Law

18 Sec. 531.018. CERTAIN CONTRACTS FOR HEALTH CARE  
19 PURPOSES; REVIEW BY ATTORNEY GENERAL. (a) This  
20 section applies to any contract with a contract amount  
21 of \$250 million or more:

22 (1) under which a person provides goods or  
23 services in connection with the provision of medical  
24 or health care services, coverage, or benefits; and

25 (2) entered into by the person and:

26 (A) the commission;

27 (B) a health and human services  
28 agency; or

29 (C) any other state agency under the  
30 jurisdiction of the commission.

31 (b) Notwithstanding any other law, before a  
32 contract described by Subsection (a) may be entered  
33 into by the agency, a representative of the office of  
34 the attorney general shall review the form and terms of  
35 the contract and may make recommendations to the  
36 agency for changes to the contract if the attorney  
37 general determines that the office of the attorney  
38 general has sufficient subject matter expertise and  
39 resources available to provide this service.

40 (c) An agency described by Subsection (a)(2)  
41 must notify the office of the attorney general at the  
42 time the agency initiates the planning phase of the  
43 contracting process. A representative of the office  
44 of the attorney general or another attorney advising  
45 the agency under Subsection (d) may participate in  
46 negotiations or discussions with proposed contractors  
47 and may be physically present during those  
48 negotiations or discussions.

49 (d) If the attorney general determines that the  
50 office of the attorney general does not have

1 sufficient subject matter expertise or resources  
2 available to provide the services described by this  
3 section, the office of the attorney general may  
4 require the state agency to enter into an interagency  
5 agreement or to obtain outside legal services under  
6 Section 402.0212 for the provision of services  
7 described by this section.

8 (e) The state agency shall provide to the office  
9 of the attorney general any information the office of  
10 the attorney general determines is necessary to  
11 administer this section.

12 Revised Law

13 Sec. 522.0052. PERFORMANCE STANDARDS FOR CONTRACTED  
14 SERVICES PROVIDED TO INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY.

15 (a) This section does not apply to 2-1-1 services provided by the  
16 Texas Information and Referral Network.

17 (b) Each contract with the commission or a health and human  
18 services agency that requires the provision of call center services  
19 or written communications related to call center services must  
20 include performance standards that measure the effectiveness,  
21 promptness, and accuracy of the contractor's oral and written  
22 communications with individuals with limited English proficiency.

23 (c) A person who seeks to enter into a contract described by  
24 Subsection (b) must include in the bid or other applicable  
25 expression of interest for the contract a proposal for providing  
26 call center services or written communications related to call  
27 center services to individuals with limited English proficiency.  
28 The proposal must include a language access plan that describes how  
29 the contractor will:

30 (1) achieve any performance standards described in the  
31 request for bids or other applicable expressions of interest;

32 (2) identify individuals who need language  
33 assistance;

34 (3) provide language assistance measures, including  
35 the translation of forms into languages other than English and the  
36 provision of translators and interpreters;

37 (4) inform individuals with limited English  
38 proficiency of the language services available to them and how to  
39 obtain those services;

1           (5) develop and implement qualifications for  
2 bilingual staff; and

3           (6) monitor compliance with the plan.

4           (d) In determining which bid or other applicable expression  
5 of interest offers the best value, the commission or a health and  
6 human services agency, as applicable, shall evaluate the extent to  
7 which the proposal for providing call center services or written  
8 communications related to call center services in languages other  
9 than English will provide meaningful access to the services for  
10 individuals with limited English proficiency.

11          (e) In determining the extent to which a proposal will  
12 provide meaningful access under Subsection (d), the commission or  
13 health and human services agency, as applicable, shall consider:

14           (1) the language access plan described by Subsection  
15 (c);

16           (2) the number or proportion of individuals with  
17 limited English proficiency in the commission's or agency's  
18 eligible service population;

19           (3) the frequency with which individuals with limited  
20 English proficiency seek information regarding the commission's or  
21 agency's programs;

22           (4) the importance of the services provided by the  
23 commission's or agency's programs; and

24           (5) the resources available to the commission or  
25 agency.

26          (f) The commission or health and human services agency, as  
27 applicable, shall avoid selecting a contractor that the commission  
28 or agency reasonably believes will:

29           (1) provide information in languages other than  
30 English that is limited in scope;

31           (2) unreasonably delay the provision of information in  
32 languages other than English; or

33           (3) provide program information, including forms,  
34 notices, and correspondence, in English only. (Gov. Code, Sec.

1 531.0191.)

2 Source Law

3 Sec. 531.0191. SERVICES PROVIDED BY CONTRACTOR  
4 TO PERSONS WITH LIMITED ENGLISH PROFICIENCY. (a) Each  
5 contract with the commission or a health and human  
6 services agency that requires the provision of call  
7 center services or written communications related to  
8 call center services must include performance  
9 standards that measure the effectiveness, promptness,  
10 and accuracy of the contractor's oral and written  
11 communications with persons with limited English  
12 proficiency. Each person who seeks to enter into a  
13 contract described by this subsection shall include in  
14 the bid or other applicable expression of interest for  
15 the contract a proposal for providing call center  
16 services or written communications related to call  
17 center services to persons with limited English  
18 proficiency.

19 (b) The proposal required under Subsection (a)  
20 must include a language access plan that describes how  
21 the contractor will achieve any performance standards  
22 described in the request for bids, proposals, or other  
23 applicable expressions of interest. The plan must  
24 also describe how the contractor will:

25 (1) identify persons who need language  
26 assistance;

27 (2) provide language assistance measures,  
28 including the translation of forms into languages  
29 other than English and the provision of translators  
30 and interpreters;

31 (3) inform persons with limited English  
32 proficiency of the language services available to them  
33 and how to obtain them;

34 (4) develop and implement qualifications  
35 for bilingual staff; and

36 (5) monitor compliance with the language  
37 access plan.

38 (c) In determining which bid or other applicable  
39 expression of interest offers the best value, the  
40 commission or a health and human services agency, as  
41 applicable, shall evaluate the extent to which the  
42 proposal for providing call center services or written  
43 communications related to call center services in  
44 languages other than English will provide meaningful  
45 access to the services for persons with limited  
46 English proficiency.

47 (d) In determining the extent to which a  
48 proposal will provide meaningful access under  
49 Subsection (c), the agency shall consider:

50 (1) the language access plan developed  
51 under Subsection (b);

52 (2) the number or proportion of persons  
53 with limited English proficiency in the agency's  
54 eligible service population;

55 (3) the frequency with which persons with  
56 limited English proficiency seek information  
57 regarding the agency's programs;

58 (4) the importance of the services  
59 provided by the agency's programs; and

60 (5) the resources available to the agency.

61 (e) The agency must avoid selecting a contractor  
62 that the agency reasonably believes will:

63 (1) provide information in languages other  
64 than English that is limited in scope;

65 (2) unreasonably delay the provision of

1 information in languages other than English; or  
2 (3) provide program information,  
3 including forms, notices, and correspondence, in  
4 English only.

5 (f) This section does not apply to 2-1-1  
6 services provided by the Texas Information and  
7 Referral Network.

8 Revisor's Note

9 (1) Sections 531.0191(a), (b), (c), (d), and  
10 (e), Government Code, refer to call center services or  
11 written communications related to those services  
12 provided to "persons with limited English proficiency"  
13 and "persons who need language assistance." Throughout  
14 this chapter, the revised law substitutes "individual"  
15 for "person" for clarity and consistency where the  
16 context makes clear that the referenced person is an  
17 individual and not an entity described by the  
18 definition of "person" provided by Section 311.005,  
19 Government Code (Code Construction Act), applicable to  
20 this code.

21 (2) Sections 531.0191(a) and (c), Government  
22 Code, refer to a "bid or other applicable expression of  
23 interest" for a contract, and Section 531.0191(b),  
24 Government Code, refers to "bids, proposals, or other  
25 applicable expressions of interest." The revised law  
26 omits "proposals" for consistency in the terminology  
27 used within the section and because the term  
28 "proposals" is included within the meaning of "other  
29 applicable expressions of interest."

30 (3) Section 531.0191(c), Government Code,  
31 requires the "commission or a health and human  
32 services agency, as applicable," to evaluate proposals  
33 for providing call center services or written  
34 communications related to those services, and Sections  
35 531.0191(d) and (e), Government Code, respectively,  
36 require "the agency" to consider certain elements in  
37 that evaluation and prohibit "[t]he agency" from

1 selecting certain contractors. The revised law  
2 substitutes references to the "commission or health  
3 and human services agency, as applicable," or to  
4 "commission or agency," as appropriate, for references  
5 to the "agency" throughout the section for clarity and  
6 consistency in the terminology used within the  
7 section.

#### 8 SUBCHAPTER C. DATA SHARING

##### 9 Revised Law

10 Sec. 522.0101. SHARING OF DATA RELATED TO CERTAIN GENERAL  
11 REVENUE FUNDED PROGRAMS. To the extent permitted under federal law  
12 and notwithstanding any provision of Chapter 191 or 192, Health and  
13 Safety Code, the commission and other health and human services  
14 agencies shall share data to facilitate patient care coordination,  
15 quality improvement, and cost savings in Medicaid, the child health  
16 plan program, and other health and human services programs funded  
17 using money appropriated from the general revenue fund. (Gov. Code,  
18 Sec. 531.024(a-1).)

##### 19 Source Law

20 (a-1) To the extent permitted under applicable  
21 federal law and notwithstanding any provision of  
22 Chapter 191 or 192, Health and Safety Code, the  
23 commission and other health and human services  
24 agencies shall share data to facilitate patient care  
25 coordination, quality improvement, and cost savings in  
26 Medicaid, the child health plan program, and other  
27 health and human services programs funded using money  
28 appropriated from the general revenue fund.

#### 29 SUBCHAPTER D. COORDINATION OF MULTIAGENCY SERVICES

##### 30 Revised Law

31 Sec. 522.0151. DEFINITION. In this subchapter, "least  
32 restrictive setting" means a service setting for an individual  
33 that, in comparison to other available service settings:

34 (1) is most able to meet the individual's identified  
35 needs;

36 (2) prioritizes a home and community-based care  
37 setting; and

38 (3) engages the strengths of the family. (Gov. Code,

1 Sec. 531.055(f).)

2 Source Law

3 (f) In this section, "least restrictive  
4 setting" means a service setting for a person that, in  
5 comparison to other available service settings:

- 6 (1) is most able to meet the identified  
7 needs of the person;
- 8 (2) prioritizes a home and community-based  
9 care setting; and
- 10 (3) engages the strengths of the family.

11 Revised Law

12 Sec. 522.0152. APPLICABILITY OF SUBCHAPTER TO CERTAIN STATE  
13 ENTITIES. This subchapter applies to the following state entities:

- 14 (1) the commission;
- 15 (2) the Department of Family and Protective Services;
- 16 (3) the Department of State Health Services;
- 17 (4) the Texas Education Agency;
- 18 (5) the Texas Correctional Office on Offenders with  
19 Medical or Mental Impairments;
- 20 (6) the Texas Department of Criminal Justice;
- 21 (7) the Texas Department of Housing and Community  
22 Affairs;
- 23 (8) the Texas Workforce Commission; and
- 24 (9) the Texas Juvenile Justice Department. (Gov. Code,  
25 Sec. 531.055(a) (part).)

26 Source Law

27 Sec. 531.055. MEMORANDUM OF UNDERSTANDING ON  
28 SERVICES FOR PERSONS NEEDING MULTIAGENCY SERVICES.  
29 (a) The Health and Human Services Commission, the  
30 Department of Family and Protective Services, the  
31 Department of State Health Services, the Texas  
32 Education Agency, the Texas Correctional Office on  
33 Offenders with Medical or Mental Impairments, the  
34 Texas Department of Criminal Justice, the Texas  
35 Department of Housing and Community Affairs, the Texas  
36 Workforce Commission, and the Texas Juvenile Justice  
37 Department . . . .

38 Revised Law

39 Sec. 522.0153. MEMORANDUM OF UNDERSTANDING REQUIRED. The  
40 state entities to which this subchapter applies shall enter into a  
41 joint memorandum of understanding to promote a system of  
42 local-level interagency staffing groups for the identification and

1 coordination of services for individuals needing multiagency  
2 services that:

3 (1) are to be provided in the least restrictive  
4 setting appropriate; and

5 (2) use residential, institutional, or congregate  
6 care settings only as a last resort. (Gov. Code, Sec. 531.055(a)  
7 (part).)

8 Source Law

9 Sec. 531.055. MEMORANDUM OF UNDERSTANDING ON  
10 SERVICES FOR PERSONS NEEDING MULTIAGENCY SERVICES.

11 (a) [The Health and Human Services Commission, the  
12 Department of Family and Protective Services, the  
13 Department of State Health Services, the Texas  
14 Education Agency, the Texas Correctional Office on  
15 Offenders with Medical or Mental Impairments, the  
16 Texas Department of Criminal Justice, the Texas  
17 Department of Housing and Community Affairs, the Texas  
18 Workforce Commission, and the Texas Juvenile Justice  
19 Department] shall enter into a joint memorandum of  
20 understanding to promote a system of local-level  
21 interagency staffing groups to identify and coordinate  
22 services for persons needing multiagency services to  
23 be provided in the least restrictive setting  
24 appropriate, using residential, institutional, or  
25 congregate care settings only as a last resort. . . .

26 Revised Law

27 Sec. 522.0154. DEVELOPMENT AND IMPLEMENTATION OF  
28 MEMORANDUM OF UNDERSTANDING. (a) The division within the  
29 commission that coordinates the policy for and delivery of mental  
30 health services shall oversee the development and implementation of  
31 the memorandum of understanding required by this subchapter.

32 (b) The state entities that participate in developing the  
33 memorandum of understanding shall consult with and solicit input  
34 from advocacy and consumer groups. (Gov. Code, Secs. 531.055(a)  
35 (part), (c).)

36 Source Law

37 (a) . . . The division within the Health and  
38 Human Services Commission that coordinates the policy  
39 and delivery of mental health services shall oversee  
40 the development and implementation of the joint  
41 memorandum of understanding.

42 (c) The agencies that participate in the  
43 formulation of the memorandum of understanding shall  
44 consult with and solicit input from advocacy and  
45 consumer groups.

1 Revised Law

2 Sec. 522.0155. CONTENTS OF MEMORANDUM OF UNDERSTANDING.

3 The memorandum of understanding required by this subchapter must:

4 (1) clarify the statutory responsibilities of each  
5 state entity to which this subchapter applies in relation to  
6 individuals needing multiagency services, including subcategories  
7 for different services such as:

8 (A) family preservation and strengthening;

9 (B) physical and behavioral health care;

10 (C) prevention and early intervention services,  
11 including services designed to prevent:

12 (i) child abuse;

13 (ii) neglect; or

14 (iii) delinquency, truancy, or school  
15 dropout;

16 (D) diversion from juvenile or criminal justice  
17 involvement;

18 (E) housing;

19 (F) aging in place;

20 (G) emergency shelter;

21 (H) residential care;

22 (I) after-care;

23 (J) information and referral; and

24 (K) investigation services;

25 (2) include a functional definition of "individuals  
26 needing multiagency services";

27 (3) outline membership, officers, and necessary  
28 standing committees of local-level interagency staffing groups;

29 (4) define procedures aimed at eliminating  
30 duplication of services relating to assessment and diagnosis,  
31 treatment, residential placement and care, and case management of  
32 individuals needing multiagency services;

33 (5) define procedures for addressing disputes between  
34 the state entities that relate to the entities' areas of service

1 responsibilities;

2 (6) provide that each local-level interagency  
3 staffing group includes:

4 (A) a local representative of each state entity;

5 (B) representatives of local private sector  
6 agencies; and

7 (C) family members or caregivers of individuals  
8 needing multiagency services or other current or previous consumers  
9 of multiagency services acting as general consumer advocates;

10 (7) provide that the local representative of each  
11 state entity has authority to contribute entity resources to  
12 solving problems identified by the local-level interagency  
13 staffing group;

14 (8) provide that if an individual's needs exceed the  
15 resources of a state entity, the entity may, with the consent of the  
16 individual's legal guardian, if applicable, submit a referral on  
17 behalf of the individual to the local-level interagency staffing  
18 group for consideration;

19 (9) provide that a local-level interagency staffing  
20 group may be called together by a representative of any member state  
21 entity;

22 (10) provide that a state entity representative may be  
23 excused from attending a meeting if the staffing group determines  
24 that the age or needs of the individual to be considered are clearly  
25 not within the entity's service responsibilities, provided that  
26 each entity representative is encouraged to attend all meetings to  
27 contribute to the collective ability of the staffing group to solve  
28 an individual's need for multiagency services;

29 (11) define the relationship between state-level  
30 interagency staffing groups and local-level interagency staffing  
31 groups in a manner that defines, supports, and maintains local  
32 autonomy;

33 (12) provide that records used or developed by a  
34 local-level interagency staffing group or the group's members that

1 relate to a particular individual are confidential and may not be  
2 released to any other person or agency except as provided by this  
3 subchapter or other law; and

4 (13) provide a procedure that permits the state  
5 entities to share confidential information while preserving the  
6 confidential nature of the information. (Gov. Code, Sec.  
7 531.055(b).)

8 Source Law

9 (b) The memorandum must:  
10 (1) clarify the statutory  
11 responsibilities of each agency in relation to persons  
12 needing multiagency services, including subcategories  
13 for different services such as:  
14 (A) family preservation and  
15 strengthening;  
16 (B) physical and behavioral health  
17 care;  
18 (C) prevention and early  
19 intervention services, including services designed to  
20 prevent:  
21 (i) child abuse;  
22 (ii) neglect; or  
23 (iii) delinquency, truancy, or  
24 school dropout;  
25 (D) diversion from juvenile or  
26 criminal justice involvement;  
27 (E) housing;  
28 (F) aging in place;  
29 (G) emergency shelter;  
30 (H) residential care;  
31 (I) after-care;  
32 (J) information and referral; and  
33 (K) investigation services;  
34 (2) include a functional definition of  
35 "persons needing multiagency services";  
36 (3) outline membership, officers, and  
37 necessary standing committees of local-level  
38 interagency staffing groups;  
39 (4) define procedures aimed at eliminating  
40 duplication of services relating to assessment and  
41 diagnosis, treatment, residential placement and care,  
42 and case management of persons needing multiagency  
43 services;  
44 (5) define procedures for addressing  
45 disputes between the agencies that relate to the  
46 agencies' areas of service responsibilities;  
47 (6) provide that each local-level  
48 interagency staffing group includes:  
49 (A) a local representative of each  
50 agency;  
51 (B) representatives of local private  
52 sector agencies; and  
53 (C) family members or caregivers of  
54 persons needing multiagency services or other current  
55 or previous consumers of multiagency services acting  
56 as general consumer advocates;  
57 (7) provide that the local representative  
58 of each agency has authority to contribute agency  
59 resources to solving problems identified by the

1 local-level interagency staffing group;

2 (8) provide that if a person's needs exceed  
3 the resources of an agency, the agency may, with the  
4 consent of the person's legal guardian, if applicable,  
5 submit a referral on behalf of the person to the  
6 local-level interagency staffing group for  
7 consideration;

8 (9) provide that a local-level interagency  
9 staffing group may be called together by a  
10 representative of any member agency;

11 (10) provide that an agency representative  
12 may be excused from attending a meeting if the staffing  
13 group determines that the age or needs of the person to  
14 be considered are clearly not within the agency's  
15 service responsibilities, provided that each agency  
16 representative is encouraged to attend all meetings to  
17 contribute to the collective ability of the staffing  
18 group to solve a person's need for multiagency  
19 services;

20 (11) define the relationship between  
21 state-level interagency staffing groups and  
22 local-level interagency staffing groups in a manner  
23 that defines, supports, and maintains local autonomy;

24 (12) provide that records that are used or  
25 developed by a local-level interagency staffing group  
26 or its members that relate to a particular person are  
27 confidential and may not be released to any other  
28 person or agency except as provided by this section or  
29 by other law; and

30 (13) provide a procedure that permits the  
31 agencies to share confidential information while  
32 preserving the confidential nature of the information.

33 Revised Law

34 Sec. 522.0156. ADOPTION OF MEMORANDUM OF UNDERSTANDING;  
35 REVISIONS. Each state entity to which this subchapter applies  
36 shall adopt the memorandum of understanding required by this  
37 subchapter and all revisions to the memorandum. The entities shall  
38 develop revisions as necessary to reflect major reorganizations or  
39 statutory changes affecting the entities. (Gov. Code, Sec.  
40 531.055(d).)

41 Source Law

42 (d) Each agency shall adopt the memorandum of  
43 understanding and all revisions to the memorandum.  
44 The agencies shall develop revisions as necessary to  
45 reflect major agency reorganizations or statutory  
46 changes affecting the agencies.

47 Revised Law

48 Sec. 522.0157. STATE-LEVEL INTERAGENCY STAFFING GROUP  
49 DUTIES; BIENNIAL REPORT. The state entities to which this  
50 subchapter applies shall ensure that a state-level interagency  
51 staffing group provides:

52 (1) information and guidance to local-level

1 interagency staffing groups regarding:

2 (A) the availability of programs and resources in  
3 the community; and

4 (B) best practices for addressing the needs of  
5 individuals with complex needs in the least restrictive setting  
6 appropriate; and

7 (2) a biennial report to the administrative head of  
8 each entity, the legislature, and the governor that includes:

9 (A) the number of individuals served through the  
10 local-level interagency staffing groups and the outcomes of the  
11 services provided;

12 (B) a description of any identified barriers to  
13 the state's ability to provide effective services to individuals  
14 needing multiagency services; and

15 (C) any other information relevant to improving  
16 the delivery of services to individuals needing multiagency  
17 services. (Gov. Code, Sec. 531.055(e).)

18 Source Law

19 (e) The agencies shall ensure that a state-level  
20 interagency staffing group provides:

21 (1) information and guidance to  
22 local-level interagency staffing groups regarding:

23 (A) the availability of programs and  
24 resources in the community; and

25 (B) best practices for addressing the  
26 needs of persons with complex needs in the least  
27 restrictive setting appropriate; and

28 (2) a biennial report to the  
29 administrative head of each agency, the legislature,  
30 and the governor that includes:

31 (A) the number of persons served  
32 through the local-level interagency staffing groups  
33 and the outcomes of the services provided;

34 (B) a description of any barriers  
35 identified to the state's ability to provide effective  
36 services to persons needing multiagency services; and

37 (C) any other information relevant to  
38 improving the delivery of services to persons needing  
39 multiagency services.

40 SUBCHAPTER E. PUBLIC ACCESS TO MEETINGS

41 Revised Law

42 Sec. 522.0201. DEFINITION. In this subchapter, "agency"  
43 means the commission or a health and human services agency. (Gov.  
44 Code, Sec. 531.0165(a).)



1 MEETING. (a) An agency shall:

2 (1) broadcast over the Internet live video and audio  
3 of each open meeting of the agency;

4 (2) make a video and audio recording of reasonable  
5 quality of the broadcast; and

6 (3) provide access to the archived video and audio  
7 recording on the agency's Internet website in accordance with  
8 Subsection (c).

9 (b) An agency may use for an Internet broadcast of an open  
10 meeting of the agency a room made available to the agency on request  
11 in any state building, as that term is defined by Section 2165.301.

12 (c) Not later than the seventh day after the date an open  
13 meeting is broadcast under this section, the agency shall make  
14 available through the agency's Internet website the archived video  
15 and audio recording of the open meeting. The agency shall maintain  
16 the archived video and audio recording on the agency's Internet  
17 website until at least the second anniversary of the date the  
18 recording was first made available on the website. (Gov. Code,  
19 Secs. 531.0165(b), (c), (e).)

20 Source Law

21 (b) Each agency shall:

22 (1) broadcast over the Internet live video  
23 and audio of each open meeting of the agency;

24 (2) make a video and audio recording of  
25 reasonable quality of the broadcast; and

26 (3) provide access to the archived video  
27 and audio on the agency's Internet website.

28 (c) Not later than the seventh day after the  
29 date an open meeting is broadcast under this section,  
30 the agency shall make available through the agency's  
31 Internet website archived video and audio of the open  
32 meeting. The agency shall maintain the archived video  
33 and audio of the open meeting on the agency's Internet  
34 website for not less than two years after the date the  
35 archived video and audio was first made available on  
36 the website.

37 (e) Each agency may use for an Internet  
38 broadcast of an open meeting of the agency a room made  
39 available to the agency on request in any state  
40 building, as that term is defined by Section 2165.301.

41 Revised Law

42 Sec. 522.0204. INTERNET NOTICE OF OPEN MEETING. An agency  
43 shall provide on the agency's Internet website the same notice of an

1 open meeting that the agency is required to post under Subchapter C,  
2 Chapter 551. The notice must be posted within the time required for  
3 posting notice under Subchapter C, Chapter 551. (Gov. Code, Sec.  
4 531.0165(d).)

5 Source Law

6 (d) Each agency shall provide on the agency's  
7 Internet website the same notice of the open meeting  
8 that the agency is required to post under Subchapter C,  
9 Chapter 551. The notice must be posted on the agency's  
10 Internet website within the time required for posting  
11 notice under Subchapter C, Chapter 551.

12 Revised Law

13 Sec. 522.0205. EXEMPTION UNDER CERTAIN CIRCUMSTANCES. An  
14 agency is exempt from the requirements of this subchapter to the  
15 extent a catastrophe, as defined by Section 551.0411, or a  
16 technical breakdown prevents the agency from complying with this  
17 subchapter. Following the catastrophe or technical breakdown, the  
18 agency shall make all reasonable efforts to make available in a  
19 timely manner the required video and audio recording of the open  
20 meeting. (Gov. Code, Sec. 531.0165(f).)

21 Source Law

22 (f) Each agency is exempt from the requirements  
23 of this section to the extent a catastrophe, as defined  
24 by Section 551.0411, or a technical breakdown prevents  
25 the agency from complying with this section.  
26 Following the catastrophe or technical breakdown, the  
27 agency shall make all reasonable efforts to make the  
28 required video and audio of the open meeting available  
29 in a timely manner.

30 Revised Law

31 Sec. 522.0206. CONTRACTING AUTHORIZED. The commission  
32 shall consider contracting through competitive bidding with a  
33 private individual or entity to broadcast and archive an open  
34 meeting subject to this subchapter to minimize the cost of  
35 complying with this subchapter. (Gov. Code, Sec. 531.0165(g).)

36 Source Law

37 (g) The commission shall consider contracting  
38 through competitive bidding with a private individual  
39 or entity to broadcast and archive an open meeting  
40 subject to this section to minimize the cost of  
41 complying with this section.

42 SUBCHAPTER F. FACILITIES

1 Revised Law

2 Sec. 522.0251. LEASE OR SUBLEASE OF CERTAIN OFFICE SPACE.

3 (a) A health and human services agency, with the commission's  
4 approval, or the Texas Workforce Commission or any other state  
5 agency that administers employment services programs may lease or  
6 sublease office space to a private service entity or lease or  
7 sublease office space from a private service entity that provides  
8 publicly funded health, human, or workforce services to enable  
9 agency eligibility and enrollment personnel to work with the entity  
10 if:

11 (1) client access to services would be enhanced; and

12 (2) the colocation of offices would improve the  
13 efficiency of the administration and delivery of services.

14 (b) Subchapters D and E, Chapter 2165, do not apply to a  
15 state agency that leases or subleases office space to a private  
16 service entity under this section.

17 (c) Subchapter B, Chapter 2167, does not apply to a state  
18 agency that leases or subleases office space from a private service  
19 entity under this section.

20 (d) A state agency is delegated the authority to enter into  
21 a lease or sublease under this section and may negotiate the terms  
22 of the lease or sublease.

23 (e) To the extent authorized by federal law, a state agency  
24 may share business resources with a private service entity that  
25 enters into a lease or sublease agreement with the agency under this  
26 section. (Gov. Code, Sec. 531.053.)

27 Source Law

28 Sec. 531.053. LEASES AND SUBLEASES OF CERTAIN  
29 OFFICE SPACE. (a) A health and human services agency,  
30 with the approval of the commission, or the Texas  
31 Workforce Commission or any other state agency that  
32 administers employment services programs may sublease  
33 office space to a private service entity or lease  
34 office space from a private service entity that  
35 provides publicly funded health, human, or workforce  
36 services to enable agency eligibility and enrollment  
37 personnel to work with the entity if:

38 (1) client access to services would be  
39 enhanced; and

40 (2) the colocation of offices would

1 improve the efficiency of the administration and  
2 delivery of services.

3 (b) Subchapters D and E, Chapter 2165, do not  
4 apply to a state agency that leases office space to a  
5 private service entity or subleases office space to a  
6 private service entity under this section.

7 (c) Subchapter B, Chapter 2167, does not apply  
8 to a state agency that leases office space from a  
9 private service entity or subleases office space from  
10 a private service entity under this section.

11 (d) A state agency is delegated the authority to  
12 enter into a lease or sublease under this section and  
13 may negotiate the terms of the lease or sublease.

14 (e) To the extent authorized by federal law, a  
15 state agency may share business resources with a  
16 private service entity that enters into a lease or  
17 sublease agreement with the agency under this section.

18 Revisor's Note

19 Section 531.053(a), Government Code, authorizes  
20 a health and human services agency and certain other  
21 state agencies to "sublease office space to a private  
22 service entity or lease office space from a private  
23 service entity." Sections 531.053(b) and (c),  
24 Government Code, make clear, however, that an agency  
25 may lease or sublease office space to or from a private  
26 service entity. Therefore, for clarity and  
27 consistency of terminology, the revised law is drafted  
28 to expressly include the authority to both lease and  
29 sublease to and from a private service entity.

30 Revised Law

31 Sec. 522.0252. ASSUMPTION OF LEASE FOR IMPLEMENTATION OF  
32 INTEGRATED ENROLLMENT SERVICES INITIATIVE. (a) A health and human  
33 services agency, with the commission's approval, or the Texas  
34 Workforce Commission or any other state agency that administers  
35 employment services programs may assume a lease from an integrated  
36 enrollment services initiative contractor or subcontractor to  
37 implement the initiative at one development center, one mail  
38 center, or 10 or more call or change centers.

39 (b) Subchapter B, Chapter 2167, does not apply to a state  
40 agency that assumes a lease from a contractor or subcontractor  
41 under this section. (Gov. Code, Sec. 531.054.)

